

U.S. BANKRUPTCY COURT
EASTERN DISTRICT OF
NEW YORK

RETURN DATE:

2009 AUG 25 P 12:33

RECEIVED/MR

United States Bankruptcy Court
Eastern District of New York
271 Cadman Plaza, East, Suite 1595
Brooklyn, New York 11201-1800

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In Re:

Case No:1-08-46734-cec

NEERA KUMARI

Chapter: 7

SSN/TAX ID:
XXX-XX-1987

NOTICE OF MOTION
TO WITHDRAW

Debtor(s)
-----X

SIRS:

PLEASE TAKE NOTICE that upon the annexed application of NEERA KUMARI, debtor, herein, a hearing will be held before the Hon. Carla E. Craig, Bankruptcy Judge, to consider the Debtor's Motion for an order granting relief as follows:

To withdraw the Bankruptcy Petition filed on October 7th 2008, for the reasons mentioned in the attached Motion To Withdraw.

Date and Time of Hearing: September 22nd 2009 at 12:00 p.m.

Location: US Bankruptcy Court
Easter District New York, 271 Cadman Plaza East,
Courtroom #3529, Brooklyn, NY 11201-1800

Dated: August 21, 2009
Queens, New York



KHALID M. AZAM, ESQ.
AZAM & HERTZ, LLP.
Attorney For Debtor
74-09 37th Avenue, Suite # 303
Jackson heights, NY 11372
718-672-8115(P) 7180672-8117(F)

UNITED STATES BANKRUPTCY COURT
Eastern District of New York
271 Cadman Plaza East,
Brooklyn, NY 11201-1800

In Re:

Case# 1-08-46734-cec

NEERA KUMARI

CHAPTER - 7

SSN/TAX ID

MOTION TO WITHDRAW

XXX-XX-1987

Debtor

NEERA KUMARI, the debtor herein through and by her attorney
KHALID M. AZAM, of AZAM & HERTZ LLP., states as follows:

1. That she has filed a chapter 7 Bankruptcy Petition on
10/07/2008.

2. That there were four creditors of the debtors which
are mentioned as follows:-

a. Chase MasterCard 201 N. Walnut Street,
Wilmington, DE 19801. \$10,157.00.

b. HFC 961 Weigel Drive Elmhurst, IL 60126 \$7,537.00

c. HSBC 1441 Schilling Place, Salinas, CA 93901.
\$7,000.00

d. Brown Bark I, LP. 4100 Greenbriar, Stafford, TX
77497 \$89,233.00

3. That the judgment creditor Brown Bark LLP has since
settled the matter and has issued a Satisfaction of
Judgment and general release to the debtor. Copy of

the said Satisfaction and Release are enclosed as
EXHIBIT A.

4. That the other three creditors have never attended the meeting of creditors held by the Bankruptcy Trustee. The said meetings were held on 11/12/2008 and 07/29/2009.
5. That if I am allowed to withdraw the Petition filed by me, it would not affect the three creditors, who have not attended the creditors meeting under Rule 341, held by the Bankruptcy Trustee. That if they will contact me after the withdrawal of petition I will settle the matter with them as well.
6. That no other party will in any way be adversely affected by my withdrawal of the Bankruptcy Petition.
7. That no previous application/Motion has been filed for the same or similar relief.

WHEREFORE, it is requested that the Court enters an Order granting my Motion to Withdraw.

Dated: August 21, 2009



KHALID M. AZAM
Attorney for the Debtor
Azam & Hertz LLP
74-09, 37th Ave. Suite #303
Jackson Heights, NY 11372
718-672-8115

VARIFICATION

STATE OF NEW YORK, COUNTY OF QUEENS, ss.

I, NEERA KUMARI, am the Debtor in the within Chapter 7 Bankruptcy Petition. I have read the foregoing Motion To Withdraw and know the contents thereof. The contents of the Motion are true to my own knowledge, except as to those matters therein stated to be alleged upon information and belief, and as to those matters I believe them to be true.

x Neera Kumari

NEERA KUMARI

Subscribed and sworn to before me
on August 21, 2009

Khalid M. Azam

Notary Public
My commission expires on

KHALID M. AZAM
Notary Public, State of New York
No. 41-4869805
Qualified in Queens County
Commission Expires Aug. 11, 2009 2010

United States Bankruptcy Court
Eastern District of New York
271 Cadman Plaza, East, Suite 1595
Brooklyn, New York 11201-1800

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In Re:
NEERA KUMARI

Case No:1-08-46734-cec

Chapter: 7

SSN/TAX ID:
XXX-XX-1987

Debtor(s)

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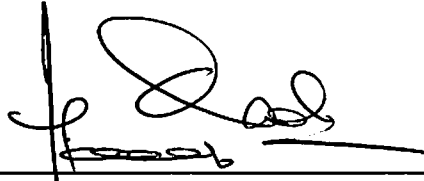
CERTIFICATE OF SERVICE

The undersigned certifies that on August 22nd 2009 a copy of the annexed Motion and Notice of Motion was served by depositing same, enclosed in a properly addressed postage prepaid envelope, in an official depository under the exclusive care and custody of the United States Postal Service within the State of New York, upon each of the following person(s) at their below mentioned addresses.

1. **John Pereira Esq. Bankruptcy Trustee**
150 East 58th Street, 14th Floor, NY, NY 10155

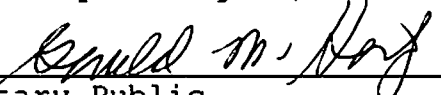
2. **Jeffrey H. Schwartz Esq.**
One Old Country Road, Suite#384, Carle Place, NY 11514

Dated: August 22nd 2009



HASEEB QADIR

Sworn to before me on this
22nd day of August, 2009



Notary Public

GERALD M. HERTZ
Notary Public, State of New York
No. 6874590
Qualified in Nassau County
Commission Expires Sept. 30, 2010

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF QUEENS

BROWN BARK I, L.P., as successor in interest to
BANK OF AMERICA, N.A., successor in
Interest to FLEET NATIONAL BANK,

Plaintiff,

- against -

NEERA SAREE PALACE CORP.
and NEERA KUMARI,

Defendants.

Index No. 7855/07

**SATISFACTION
OF JUDGMENT**

WHEREAS, a judgment was entered in the above referenced action on November 19, 2007 in the Supreme Court of the State of New York, County of Queens in favor of plaintiff, BROWN BARK I, L.P., as successor in interest to BANK OF AMERICA, N.A., successor in interest to FLEET NATIONAL BANK, and against defendants, NEERA SAREE PALACE CORP., residing at 131 Lexington Avenue, New York, New York, and NEERA KUMARI, residing at 89-90 215th Street, Jamaica, New York, for the sum of \$89,233.60, and said judgment has been paid and the sum of \$0.00 remains unpaid;

AND, it is certified that there are no outstanding executions with any sheriff or Marshal within the State of New York;

THEREFORE, full satisfaction of said judgment is hereby acknowledged, and the said Clerk is hereby directed and authorized to make an entry of full satisfaction on the docket of said judgment.

Dated: New York, New York
June 18, 2009

FOSTER & WOLKIND, P.C.

By:

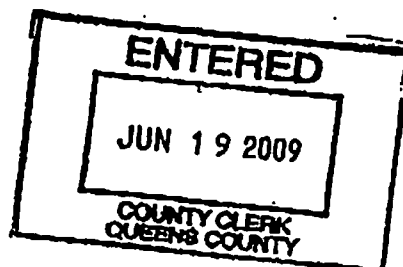
Bryan E. Wolkind, Esq.
Attorney for Plaintiff/Judgment Creditor
80 Fifth Avenue, Suite 1401
New York, New York 10011-8002
(212) 691-2313

State of New York)
) ss:
County of New York)

On the 18th day of June, in the year 2009 before me, the undersigned, personally appeared, Bryan E. Wolkind, Esq., personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person on behalf of which the individual acted, executed the instrument.

Sworn to before me this
18th day of June, 2009

PETER B. FOSTER
NOTARY PUBLIC-STATE OF NEW YORK
No. 02FO4818184
Qualified in New York County
My Commission Expires October 11, 2012



**TO ALL TO WHOM THESE PRESENTS SHALL COME OR MAY
CONCERN, KNOW THAT**

Brown Bark I, L.P., a limited partnership organized under the laws of the State of Delaware, as RELEASOR, for good and valuable consideration received from Neera Saree Palace Corp., receipt whereof is hereby acknowledged, releases and discharges Neera Saree Palace Corp. and Neera Kumari, the RELEASEES, RELEASEES' heirs, executors, administrators, agents, successors and assigns from all actions, causes of action, suits, debts, dues, sums of money, accounts, reckonings, bonds, bills, specialties, covenants, contracts, controversies, agreements, promises, variances, trespasses, damages, judgments, extents, executions, claims and demands whatsoever, in law, admiralty or equity, which against the RELEASEES, the RELEASOR, RELEASOR'S parents, subsidiaries, officers, directors, shareholders, employees, agents, successors and assigns ever had, now have or hereafter can, shall or may have, for, upon, or by reason of any matter, cause or thing whatsoever, arising from, relating and limited to the Line of Credit Promissory Note and Line of Credit Agreement dated August 30, 2001 between Neera Saree Palace Corp. and Fleet National Bank, as well as Neera Kumari's related personal guaranty dated August 30, 2001, from the beginning of the world to the day of the date of this RELEASE.

Whenever the text hereof requires, the use of singular number shall include the appropriate plural number as the text of the within instrument may require.

This release may not be changed orally.

In Witness Whereof, the RELEASOR has caused this RELEASE to be executed by its duly authorized employee on June 18, 2009.

In presence of:

Brown Bark I, L.P.

By: _____

STATE OF TEXAS)
) ss:
COUNTY OF FORT BEND)

On June 18, 2009 before me, Lucy Herrada, personally came Jerome Johnson, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person on behalf of which the individual acted, executed the instrument.

Lucy Herrada

